

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CAPITAL ONE, NATIONAL ASSOCIATION,	:	
Plaintiff,	:	Civil Action No.: 12-CV-3366 (LGS)
v.	:	
	:	<u>JUDGMENT</u>
48-52 FRANKLIN, LLC, MARSHALL	:	
WEISMAN, THE NEW YORK CITY BUREAU	:	
OF HIGHWAY OPERATIONS, CREATIVE	:	
HABITATS, INC., and CM & ASSOCIATES	:	
CONSTRUCTION	:	
Defendants.	:	
	:	
	:	
	:	
	:	

Upon Motion of McCarter & English, LLP, attorneys for Plaintiff, for entry of an Order confirming the Report of Sale of Joel E. Abramson, Esq., the Referee appointed herein, and directing the Clerk of this Court to enter a deficiency Judgment herein in favor of the Plaintiff and against Defendants 48-52 Franklin, LLC, and Marshall Weisman, individually and severally, in accordance with their obligations under the note, guaranty, and mortgage upon which this action was brought; and upon the Certification of Eduardo J. Glas, Esq. dated November 21, 2014, in support of the Motion, the opposition on file thereto, if any, and all pleadings and proceedings on file herein, and for good cause shown; it is hereby

ADJUDGED that Plaintiff, whose address is 1680 Capital One Drive, McLean, Virginia 22102, does recover from Defendants Marshall Weisman and 48-52 Franklin LLC, jointly and severally, with an address at 240 Oak Knoll Rd, Lakewood, New Jersey, the sum of \$408,942.05,

with interest thereon from October 23, 2014, at the federal post-judgment rate and that the Plaintiff have execution therefor; and it is further

ADJUDGED that the Report of Sale of the Referee, Joel E. Abramson, Esq., filed on October 31, 2014, be and the same is hereby ratified, confirmed, and made absolute and binding forever; and it is further

ADJUDGED that the Clerk of this Court enter and docket this Judgment in favor of the Plaintiff and against Defendants 48-52 Franklin, LLC and Marshall Weisman, jointly and severally, as hereinbefore stated.

Dated: New York, New York

_____, 2014

E N T E R:

HON. LORNA G. SCHOFIELD, U.S.D.J.